

09/329,140

MS115203.1

REMARKS

Claims 1-50 are currently pending in the subject application. Claims 1-5, 25-31, 39-42 and 50 are presently under consideration. A clean version of all pending claims is found at pages 2-13. Favorable reconsideration of the subject patent application is respectfully requested in view of the comments herein.

I. Rejection of Claims 1-5, 25-31, 39-42, 50 Under 35 U.S.C. 103(a)

Claims 1-5, 25-31, 39-42, 50 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Goh (US 5,678,015). Withdrawal of this rejection is respectfully requested for at least the following reasons.

It is respectfully submitted that Goh does not make obvious the subject invention as recited in the rejected claims for at least the following reasons. Goh does not disclose, teach or suggest such systems or methods as recited in the claims. Applicants' representative respectfully submits that Goh has been incorrectly characterized in an attempt to establish a *prima facie* case of obviousness which the Examiner has failed to set forth.

The subject invention "provides a graphical user interface in which a number of windows or planes depict different types of *related information*". (p. 9, lines 3-5, emphasis added). The independent claims presently under consideration (claims 1, 25, 31, 41 and 50) each recite limitations of a first window having first information of a first type, the first information *being related to an event* and a second window having second information of a second type, the second information *being related to the event*.

The Examiner incorrectly asserts "responsive to user's selecting 'cube/formation' input event, the cube of figure 5 is displayed. The cube comprises a first window and a second window. Each of the windows display information (desktop icons) related to the user input event (figure 5; col.6, lines 14-19. The input of Goh relied upon by the Examiner is simply an invocation input for displaying desktop icons in a three dimensional manner and not an "event" as in the claimed invention. (See col. 6, lines 14-19).

It is respectfully submitted that Goh does not teach or suggest a first window displaying first information of a first type, the first information *being related to an event*, and, a second window displaying second information of a second type, the second information *being related to the event* as recited in the subject claims. To the contrary, Goh discloses a "four-dimensional GUI for *displaying*

09/329,140

MS115203.1

a plurality of windows 104 simultaneously.” (col. 5, lines 12-13, emphasis added). No connection or relationship between the information displayed in the plurality of windows is disclosed, taught or even suggested by Goh. The invocation input of Goh relied upon by the Examiner is not an “event”.

Further, as stated by the Examiner with regard to Goh, “[e]ach of the windows displays information (desktop icons)”. The information displayed in the windows of Goh is thus homogeneous. Goh does not teach, suggest or make obvious displaying first information of a first type in a first window and second information of a second type in a second window.

Thus, Goh does not make obvious the subject invention as recited in the subject claims. Therefore, it is submitted that independent claims 1, 25, 31, 41 and 50 and claims 2-5, 26-30, 39, 40 and 42 which depend therefrom are allowable and withdrawal of their rejection is respectfully requested.

II. Rejection of Claims 1, 2, 5, and 50 Under 35 U.S.C. 102(a)

Claims 1, 2, 5, and 50 stand rejected under 35 U.S.C. §102(a) as being anticipated by Horvitz, et al. (US 5,880,733). Withdrawal of this rejection is respectfully requested for at least the following reasons. Horvitz does not teach or suggest each and every element recited in the claims of the subject invention.

“A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described in a single prior art reference.” *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ 2d 1051, 1053 (Fed. Cir. 1987). “The identical invention must be shown in as complete detail as is contained in the...claim.” *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989).

As discussed previously, independent claims 1 and 50 of the present invention recite limitations of a first window having first information, the first information *being related to an event* and a second window having second information, the second information *being related to the event* which is not taught or suggested by Horvitz. Horvitz “provides a three-dimensional virtual workspace for a window based display system.” (col. 3, lines 3-5). Horvitz does not teach or suggest a connection or relationship between the information displayed in the windows. It is respectfully submitted that the “user activation input” is not an “event”.

For these reasons, withdrawal of this rejection and allowance of independent claims 1 and 50 and claims 2 and 5 which depend therefrom is respectfully requested.

09/329,140

MS115203.1

Conclusion

The present application is believed to be condition for allowance in view of the above amendments and comments. A prompt action to such end is earnestly solicited.

In the event any fees are due in connection with this document, the Commissioner is authorized to charge those fees to Deposit Account No. 50-1063.

Should the Examiner believe a telephone interview would be helpful to expedite favorable prosecution, the Examiner is invited to contact applicants' undersigned representative at the telephone number listed below.

Respectfully submitted,

AMIN & TUROCY, LLP



Himanshu S. Amin

Reg. No. 40,894

AMIN & TUROCY, LLP
24TH Floor, National City Center
1900 E. 9TH Street
Cleveland, Ohio 44114

Telephone (216) 696-8730
Facsimile (216) 696-8731